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DATE MAILED:

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR			ATTORNEY DOCKET NO.
08/996,249	12/22/97	SAMS		R	197-0216
[				EXAMINER	
' 000576 FORD MOTOR	COMPANY	PM82/0712	•	BINDA,G	ì
JOSEPH W. MALLECK				ART UNIT	PAPER NUMBER
600 PARKLANE TOWERS EAST ONE PARKLANE BLVD.				3629	11

Please find below and/or attached an Office communication concerning this application or proceeding.

**Commissioner of Patents and Trademarks** 

07/12/00

Application No.

Applicant(s)

Sams et al

Office Action Summary

Examiner

08/996,249

**Greg Binda** 

Group Art Unit 3629



	Responsive to communication(s) filed on May 9, 2000	•
X	This action is FINAL.	
	Since this application is in condition for allowance except for for in accordance with the practice under <i>Ex parte Quayle</i> , 1935 (	
is lo app	shortened statutory period for response to this action is set to ellonger, from the mailing date of this communication. Failure to oplication to become abandoned. (35 U.S.C. § 133). Extension 7 CFR 1.136(a).	respond within the period for response will cause the
Dis	sposition of Claims	
1	X Claim(s) 1, 2, 4, 5, and 10-12	is/are pending in the application.
	Of the above, claim(s)	is/are withdrawn from consideration.
	Claim(s)	is/are allowed.
	Claim(s)	
	☐ Claims	
App	pplication Papers	
	☐ See the attached Notice of Draftsperson's Patent Drawing I	Review, PTO-948.
	☐ The drawing(s) filed on is/are objected	d to by the Examiner.
	☐ The proposed drawing correction, filed on	is 🗀 approved 🗀 disapproved.
	$\hfill\Box$ The oath or declaration is objected to by the Examiner.	
Pric	riority under 35 U.S.C. § 119	
	Acknowledgement is made of a claim for foreign priority ur	nder 35 U.S.C. § 119(a)-(d).
	☐ All ☐ Some* ☐ None of the CERTIFIED copies of t	the priority documents have been
	received.	
	received in Application No. (Series Code/Serial Number	<del></del>
	$\square$ received in this national stage application from the In	nternational Bureau (PCT Rule 17.2(a)).
	*Certified copies not received:	
	☐ Acknowledgement is made of a claim for domestic priority	under 35 U.S.C. § 119(e).
Att	ttachment(s)	
	Notice of References Cited, PTO-892	
	☐ Information Disclosure Statement(s), PTO-1449, Paper No(	s)
	☐ Interview Summary, PTO-413	
	☐ Notice of Draftsperson's Patent Drawing Review, PTO-948	j
	☐ Notice of Informal Patent Application, PTO-152	

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## Specification

1. The disclosure is objected to because it contradicts itself. On page 4, lines 9-12, "diameter 30" is described as "not a bearing surface," but on page 5, line 6, "surface 30" is described as a "bearing surface".

## Claim Rejections - 35 U.S.C. § 103

- 2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
- 3. Claims 1, 2, 4, 5 & 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over the admitted prior art, Fig. 1. Fig. 1 shows all the limitations of the claimed invention including a trunnion with an unmachined surface covered by a cup with a machined surface (see page 1, line 26), but the trunnion and cup shown in Fig. 1 are an integral assembly, not two parts press fit together as in the claimed invention. However, it would have been obvious to one of ordinary skill in the art to make the cup with the machined surface separable from that of the trunnion with the unmachined surface in order to simplify, and thus reduce the cost of, manufacturing the tripod bearing assembly, since it is more cost effective to machine the surface of cup than that of a trunnion attached to a spider.

Applicant should note *In re Dulberg*, 289 F.2d 522, 523, 129 USPQ 348, 349 (CCPA 1961) where the court held that when it is considered desirable for any reason to make separable

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an otherwise inseparable connection between two parts then it is obvious to make the parts separable.

## Conclusion

- 4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Asahara et al shows, in Fig. 1, a trunnion 4 with a machined surface. See also col. 3, lines 10-13
- 5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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6. Any inquiry concerning this communication or earlier communications from the examiner

should be directed to Greg Binda whose telephone number is (703) 305-2869. The examiner can

normally be reached Tuesday through Friday from 8:00 am to 5:30 pm. The examiner can also be

reached on alternate Mondays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,

Lynne Browne, can be reached on (703) 308-1159. The fax phone numbers for the organization

where this application or proceeding is assigned are (703) 306-4195, 305-3597 and 305-7687.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is (703) 308-2168.

Greg Binda
Patent Examiner

Lynne H. Browne Supervisory Patent Examiner

**Group 3600**